

**CHARGE SHEET****I. PERSONAL DATA****1. NAME OF ACCUSED:**

Ahmed Khalfan Ghailani

**2. ALIASES OF ACCUSED:**

Fupi, Haytham, Abubakar Khalfan Ahmed, and Sharif Omar

**3. ISN NUMBER OF ACCUSED (LAST FOUR):**

10012

**II. CHARGES AND SPECIFICATIONS****4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.****SPECIFICATION:**

See Attached Additional Charge and Specifications

**III. SWEARING OF CHARGES****5a. NAME OF ACCUSER (LAST, FIRST, MI)**

Cox, Dale J.

**5b. GRADE**

E-8

**5c. ORGANIZATION OF ACCUSER**

Office of Military Commissions

**5d. SIGNATURE OF ACCUSER****5e. DATE (YYYYMMDD)**

20081009

**AFFIDAVIT:** Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 9th day of October, 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Robert J. Cotell

Typed Name of Officer

Office of Military Commissions

Organization of Officer

Colonel, U.S. Army

Grade

Judge Advocate

Official Capacity to Administer Oath  
(See R.M.C. 307(b) must be commissioned officer)

Signature

**IV. NOTICE TO THE ACCUSED**

6. On 10 October 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

John McAdams GS-15

Typed Name and Grade of Person Who Caused  
Accused to Be Notified of Charges

OMC - P

Organization of the Person Who Caused  
Accused to Be Notified of Charges

John McAdams  
Signature

**V. RECEIPT OF CHARGES BY CONVENING AUTHORITY**

7. The sworn charges were received at 1900 hours, on 10 October 2008 at Arlington, VA

Location

For the Convening Authority: DONNA L. WILKINS

Typed Name of Officer

GS-15

Grade

[Signature]  
Signature

**VI. REFERRAL**

**8a. DESIGNATION OF CONVENING AUTHORITY**

Convening Authority 10 USC §948h  
Appointed on 6 Feb 2007

**8b. PLACE**

Arlington, VA

**8c. DATE (YYYYMMDD)**

20081015

Referred for trial to the (non)capital military commission convened by military commission convening order 07-01 dated  
1 March 2007, as amended by MCCO 07-05 dated 29 May 2007

subject to the following instructions<sup>1</sup>: these charges will be tried in  
conjunction with the charges referred against the accused on 3 Oct 2008

☒ XX ☒ XX  
Command, Order, or Direction

Susan J. Crawford

Typed Name and Grade of Officer

Convening Authority 10 USC § 948h

Official Capacity of Officer Signing

Susan J. Crawford  
Signature

**VII. SERVICE OF CHARGES**

9. On \_\_\_\_\_, \_\_\_\_\_ I (caused to be) served a copy these charges on the above named accused.

\_\_\_\_\_  
Typed Name of Trial Counsel

\_\_\_\_\_  
Grade of Trial Counsel

\_\_\_\_\_  
Signature of Trial Counsel

**FOOTNOTES**

<sup>1</sup>See R.M.C. 601 concerning instructions. If none, so state.

**ADDITIONAL CHARGE: VIOLATION OF 10 U.S.C. § 950t, ATTEMPT**

**Specification 1:** In that **Ahmed Khalfan Ghailani**, a.k.a., “Fupi,” “Haytham,” “Abubakar Khalfan Ahmed,” and “Sharif Omar,” a person subject to trial by military commission as an alien unlawful enemy combatant, did, on or about August 7, 1998, while in the context of and associated with armed conflict, attempt to unlawfully and intentionally kill persons who were located near, at or within the United States Embassy building and compound, located in Dar es Salaam, Tanzania, including but not limited to those persons identified in Appendix B, each of whom enjoyed the status of a “protected person” within the meaning of the Military Commissions Act of 2006, § 950v(a)(2)(A), knowing or having reason to know the factual circumstances that established their status as protected persons, by bombing the United States Embassy in Dar es Salaam, Tanzania, in violation of 10 U.S.C. § 950v(b)(1).

**Specification 2:** In that **Ahmed Khalfan Ghailani**, a.k.a., “Fupi,” “Haytham,” “Abubakar Khalfan Ahmed,” and “Sharif Omar,” a person subject to trial by military commission as an alien unlawful enemy combatant, did, on or about August 7, 1998, while in the context of and associated with armed conflict, attempt to unlawfully and intentionally kill persons who were located near, at or within the United States Embassy building and compound, located in Dar es Salaam, Tanzania, including but not limited to those persons identified in Appendix B, in violation of the law of war, by bombing the United States Embassy in Dar es Salaam, Tanzania, in violation of 10 U.S.C. § 950v(b)(15).